

1
UNITED STATES DISTRICT COURT
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DISTRICT OF MASSACHUSETTS
34 UNITED STATES OF AMERICA,)
5 Plaintiff,)
6) No. 13-10048-FDS
7 vs.)
8 KING BELIN,)
9 Defendant.)
1011 BEFORE: THE HONORABLE F. DENNIS SAYLOR, IV
1213 STATUS CONFERENCE
1415 John Joseph Moakley United States Courthouse
16 Courtroom No. 2
17 One Courthouse Way
Boston, MA 02210
18September 10, 2014
1:35 p.m.
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21
2223 Valerie A. O'Hara
24 Official Court Reporter
John Joseph Moakley United States Courthouse
One Courthouse Way, Room 3204
Boston, MA 02210
25 E-mail: vaohara@gmail.com

1 APPEARANCES:

2 For The United States:

3 United States Attorney's Office, by JOHN A. WORTMANN, JR.,
4 ESQ., 1 Courthouse Way, Suite 9200, Boston, Massachusetts
02110;

5 For the Defendant:

6 PAUL J. GARRITY, ESQ., 14 Londonderry Road,
7 Londonderry, New Hampshire 03053.

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PROCEEDINGS

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01:34PM 10

THE CLERK: All rise. United States District Court for the District of Massachusetts is now in session, the Honorable Judge Saylor presiding, Case No. 13-10048, U.S. v. King Belin.

Would counsel please identify themselves for the record.

MR. WORTMANN: John Wortmann for the United States.

Good afternoon, your Honor.

THE COURT: Good afternoon.

MR. GARRITY: Good afternoon, Paul Garrity for

King Belin.

THE COURT: All right. Good afternoon. Please be seated. This is a status conference. The defendant is present. Mr. Garrity is newly appointed. I do not yet have the report of the evaluation. Mr. Wortmann, do you know where that stands?

MR. WORTMANN: You know, your Honor, I apologize, but I haven't been sure who the primary contact person was, and actually I came down hoping that it had been delivered to the Court, and I probably should have called and checked beforehand, and I apologize for that.

THE COURT: All right. One possibility is it could have been delivered to Mr. Cicolini whose last day was this past Friday. I don't know. In any event, I don't have it,

1 haven't seen it and haven't received anything, so we're at a
2 little bit of a standstill till we get that. In the meantime,
3 Mr. Garrity, I presume that you need to get up to speed as
4 well?

5 MR. GARRITY: That's correct, your Honor. I've had
6 some communication with Ray O'Hara, but I haven't yet picked up
7 his file.

8 THE COURT: All right. Well, unless anyone has a
9 better suggestion, I think we probably just need to roll this
01:36PM 10 over again for a reasonably short period of time.

11 Mr. Wortmann, what do you think I need to do?

12 MR. WORTMANN: I think it makes sense. I think
13 Mr. Garrity should have enough time to get up to speed before
14 we have another hearing, and I don't know how much time,
15 whatever time he needs is appropriate.

16 THE COURT: And hopefully we'll have this report that
17 we'll also need to digest. I don't think the underlying facts,
18 you know, it's not like a white collar crime case, but,
19 obviously, he does need some time. I guess what I would like
01:36PM 20 to do is to -- I'm in Washington the week of the 22nd. We
21 could try to connect either at the end of next week, which is
22 about nine days out, or maybe more realistically September 29th
23 or thereafter. What do counsel want to do?

24 MR. GARRITY: Judge, the only issue I have with the
25 29th, I'm scheduled to start a jury trial in New Hampshire, but

1 that may or may not go.

2 THE COURT: All right.

3 MR. GARRITY: Would the afternoon of October 1st be
4 available?

5 THE COURT: I teach a class which is on Wednesday
6 afternoons, so I could do early afternoon. Let me look at the
7 calendar. On the 1st, I have a trial from 9 to 1, a sentencing
8 at two, and then I need to leave to teach my class. We could
9 try to -- we could set it for a 3:00, and if the sentencing is
01:38PM 10 reasonably short, I can squeeze you in, particularly if it's a
11 status conference. Will that work?

12 MR. GARRITY: That's fine, Judge, thank you.

13 THE COURT: Mr. Wortmann, does that work?

14 MR. WORTMANN: Yes, that's fine, thank you, your
15 Honor.

16 THE COURT: All right. So that's Wednesday,
17 October 1st at 3:00 for a status conference, and as I say that,
18 I'm not familiar with the issues in the sentencing. If it
19 looks like I have to move it, we'll just contact you and try to
01:38PM 20 come up with another date.

21 All right. Anything else we can accomplish today
22 other than exclusion of the time?

23 MR. WORTMANN: Just exclusion of the time, your Honor.

24 THE COURT: Is there any objection to excluding the
25 time between today and October 1st both in the interests of

1 justice in order to accommodate the change of counsel and
2 because we are still in the process of mental health evaluation
3 that has not been completed?

4 MR. GARRITY: Can I have one second, your Honor, to
5 speak to Mr. Belin?

6 THE COURT: Yes.

7 MR. GARRITY: Judge, we have no objection to excluding
8 the time. Thank you.

9 THE COURT: I find that the ends of justice served by
10 taking that action outweigh the interests of the parties and
11 the public in a speedy trial, and I'll enter a written order to
12 that effect.

13 MR. WORTMANN: Your Honor, do you want me to stay on
14 top of Dr. Tillbrook?

15 THE COURT: Well, I'm going to try to have the clerk's
16 office do it as well. I don't want to suggest he's not doing
17 his job.

18 MR. WORTMANN: No, no.

19 THE COURT: It's really more of a matter of either
01:41PM 20 getting the report or finding out what's going on and making
21 sure it's being delivered to the right place.

22 MR. WORTMANN: I didn't mean to suggest that.

23 THE COURT: For that matter, Mr. Garrity as well,
24 whatever efforts counsel can make to just nudge this process
25 forward.

1 MR. WORTMANN: So if we don't have it in hand by
2 October 1, we'll come in here and we'll know when we can expect
3 it.

4 THE COURT: Hopefully, I will have it in hand before
5 that so I read it and think about it.

6 MR. WORTMANN: Thank you, your Honor.

7 MR. GARRITY: Thank you, your Honor.

8 THE CLERK: All rise.

9 (Whereupon, the hearing was adjourned at 2:35 p.m.)

10 C E R T I F I C A T E

11 UNITED STATES DISTRICT COURT)

12 DISTRICT OF MASSACHUSETTS) ss.

13 CITY OF BOSTON)

14 I do hereby certify that the foregoing transcript,
15 Pages 1 through 7 inclusive, was recorded by me
16 stenographically at the time and place aforesaid in Criminal
17 Action No. 13-10048-FDS, UNITED STATES OF AMERICA vs.
18 KING BELIN and thereafter by me reduced to typewriting and is a
19 true and accurate record of the proceedings.

20 Dated this 28th day of December, 2015.

21 s/s Valerie A. O'Hara

22 VALERIE A. O'HARA

23 OFFICIAL COURT REPORTER

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